IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

INCOME TAX APPEAL NO.271 OF 2003

The Commissioner of Income Tax
City - III, Mumbai .. Appellant.
V/s.
M/s.Cyma Dessani Mktg.Pvt.Ltd. .. Respondent.

Mr.R.Asokan i/b. K.B. Rao for the appellant.

CORAM : R.M. LODHA, &
J.P. DEVADHAR, JJ.
DATED : 7TH OCTOBER, 2004.

P.C. :

Heard.

2. The issue raised in this appeal stands concluded by the Division Bench judgment of this court in the case of Cadell Weaving Mills Co. P. Ltd. V/s. CIT [249 ITR 265].

3. The learned counsel for the revenue, however, submits that the said judgment is under challenge before the Supreme Court. Even if that be so, in so far as we are concerned the controversy stands concluded by the Division Bench judgment of this court.

4. No substantial question of law arises in this appeal. The appeal is dismissed in limine.

(R.M. LODHA, J.)

(J.P. DEVADHAR, J.)